

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PROCESS FOR REDUCING SURFACE ABERRATIONS

the specification of which (check one)

[] is attached hereto.

[] was filed on [] as United States Application Number [].

[X] was filed on **16 June 2004**, as PCT International Application No. **PCT/US2004/019187**, and assigned United States Application No. **10/561,209**.[X] and was amended by Preliminary Amendment filed on **December 14, 2005**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby expressly authorize the filing of an International Patent Application under the Patent Cooperation Treaty which corresponds to and claims the priority of the above-identified application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
(Number)	(Country)	(Day/Month/Year filed)	[]	[]	[]
(Number)	(Country)	(Day/Month/Year filed)	[]	[]	[]
(Number)	(Country)	(Day/Month/Year filed)	[]	[]	[]

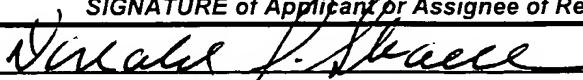
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor			
David J. Smith			
Inventor's Signature <i>David J. Smith</i>			
Residence: City	State	Country	Citizenship
Topsfield	MA	USA	USA
Mailing Address (Business or Residential)			
Street or P.O. Box 35 Willowdale Road			
City	State	ZIP	Country
Topsfield	MA	01983	USA

Full name of second joint inventor, if any			
Michael C. Andrews			
Inventor's Signature <i>M. C. Andrews</i>			
Residence: City	State	Country	Citizenship
Beverly	MA	USA	USA
Mailing Address (Business or Residential)			
Street or P.O. Box 55 Ellsworth Avenue			
City	State	ZIP	Country
Beverly	MA	01915	USA

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/561,209		
	Filing Date	16 June 2004 (PCT)		
	First Named Inventor	David J. Smith		
	Confirmation Number	Not yet assigned		
	Group Art Unit	Not yet assigned		
	Examiner Name	Not yet assigned		
	Attorney Docket Number	3455.1000-005		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Title</td> <td>PROCESS FOR REDUCING SURFACE ABERRATIONS</td> </tr> </table>			Title	PROCESS FOR REDUCING SURFACE ABERRATIONS
Title	PROCESS FOR REDUCING SURFACE ABERRATIONS			

I hereby appoint <input checked="" type="checkbox"/> Practitioners associated with Customer No. 021005 <input type="checkbox"/> Practitioner(s) named below: 	
as my/our attorneys/agents to prosecute the application identified above, including any continuation or divisional applications thereof, and to transact all business in the United States Patent and Trademark Office connected therewith.	
Please recognize or change the correspondence address for the above-identified application to: <input checked="" type="checkbox"/> Customer Number 021005 Hamilton, Brook, Smith & Reynolds, P.C. 530 Virginia Road P.O. Box 9133 Concord, Massachusetts 01742-9133 <input type="checkbox"/> Other _____	
Please direct all telephone calls and facsimiles to: Name <u>Alice O. Carroll, Esq.</u> Tel. No. <u>978-341-0036</u> Fax No. <u>978-341-0136</u>	
I am the: <input type="checkbox"/> Applicant/Inventor. <input checked="" type="checkbox"/> Authorized representative of the Assignee, Battenfeld Gloucester Engineering Co., Inc. , of the entire interest. See 37 C.F.R. § 3.71. A Statement under 37 C.F.R. § 3.73(b) is enclosed. <input type="checkbox"/> Authorized representative of the Assignee, [], together with [], of the entire interest. A Statement under 37 C.F.R. § 3.73(b) is enclosed.	
SIGNATURE of Applicant or Assignee of Record	
Signature	
Name & Title	<u>Donald J. Shade Secretary/Counsel</u>
Date	<u>1/29/07</u>

STATEMENT UNDER 37 CFR § 3.73(b)Applicant/Patentee: David J. Smith and Michael C. AndrewsApplication No./Patent No.: 10/561,209Filed/Issue Date: 16 June 2004 (PCT)Entitled: PROCESS FOR REDUCING SURFACE ABERRATIONSBattenfeld Gloucester Engineering Co., Inc.

(Name of Assignee)

, a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application/patent identified above; or
- B. ☐ an assignee together with ☐ of the entire right, title and interest in the patent application/patent identified above.

The right, title and interest of the above-named assignee in the patent application/patent identified above is established by virtue of:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature: Donald J. ShadeName: Donald J. ShadeTitle: Secretary / CounselDate: 1/29/07

COPY
NOT FOR RECORDATION
ASSIGNMENT

Docket No. 3455.1000-005

Joint

WHEREAS, we, **David J. Smith** and **Michael C. Andrews**, have invented a certain improvement in **PROCESS FOR REDUCING SURFACE ABERRATIONS** described in an application for Patent,

- ☐ the specification of which is about to be filed in the United States Patent Office (*use for utility (37 CFR § 1.53(b)) and design filings only*);
- ☐ is about to be filed in the United States Patent Office as a Provisional Application;
- ☐ the specification of which is United States Application No. [], filed [];
- ☒ the specification of which is a Patent Cooperation Treaty Application, International Application No. **PCT/US2004/019187**, filed **16 June 2004**, which designates the United States of America and **assigned United States Application No. 10/561,209**;
- ☐ which was patented under United States Patent No. [].

WHEREAS, **Battenfeld Gloucester Engineering Co., Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at **Blackburn Industrial Park, P.O. Box 900, Gloucester, Massachusetts 01930** desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein; I hereby expressly authorize the filing of an International Patent Application under the Patent Cooperation Treaty which corresponds to and claims the priority of the above-identified application;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: David J. Smith
David J. Smith

State/Commonwealth
of MASSACHUSETTS
County of ESSEX

On this 26th day of JANUARY, 2007, before me, the undersigned notary public, personally appeared **David J. Smith**,

☒ personally known to me, or

☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.



Marcel R. Nadeau Notary Public

MARCEL R. NADEAU (print name)

My Commission expires 3/31/11

Inventor's Signature: M.C. Andrews

Michael C. Andrews

State/Commonwealth

of MASS

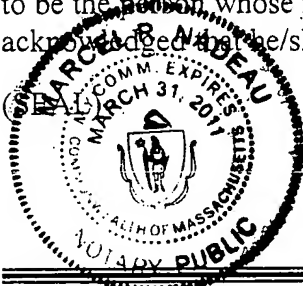
County of WESSEX

On this 29th day of JANUARY, 20 07, before me, the undersigned notary public, personally appeared **Michael C. Andrews**,

☒ personally known to me, or

☐ proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.



Marcel R. Nadreau Notary Public

MARCEL R. NADREAU (print name)

My Commission expires 3 / 31 / 11